

**WASHINGTON STATE  
DEPARTMENT OF HEALTH  
BOARD OF PHYSICAL THERAPY  
PUBLIC MEETING MINUTES**

Tuesday, September 20, 2005

9:00 a.m.

The Red Lion Hotel, 18220 International Blvd., Seattle, WA.

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On September 20, 2005, the Board of Physical Therapy met at the The Red Lion Hotel, 18220 International Blvd., Seattle, WA. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

**MEMBERS PRESENT**

CHARLES MARTIN, PT, CHAIR  
PAULA DILLON MAYS, PT, VICE-CHAIR  
SU SAWYER, PUBLIC MEMBER  
PATRICIA R. MUCHMORE, PT, PRO TEM  
BRETT WINDSOR, PT

**STAFF PRESENT**

JOY KING, EXECUTIVE DIRECTOR  
JENNIFER BRESSI, HEALTH SERVICES CONSULTANT 1  
MELISSA BURKE-CAIN, AAG  
PETER HARRIS, STAFF ATTORNEY  
JOSH SHIPE, DISCIPLINARY PROGRAM MANAGER

**GUESTS PRESENT**

MELISSA JOHNSON, PTWA  
GAIL MCGAFFICK – WSPMA  
MARTIN L. ZIONTZ – WSPMA  
THOMAS BURGHARDT, DPM, WSPMA  
KATHLEEN ALLEN, PT  
ROGER HERR, PT, MPA, COS-C

**OPEN SESSION – 9:00 a.m.**

1. **CALL TO ORDER** – Charles Martin, PT, Chair called the meeting to order at 9:10 a.m. Brett Windsor, PT was acknowledged as the Boards new member and introductions were made.
  - 1.1 Approval of Agenda – The agenda was approved with the following changes: Move item # 6 to item #2 and add presentation of Court of Appeals Decision by Karen Jensen as item #4.
  - 1.2 Approval of Meeting Minutes from July 19, 2005 – The minutes were approved with correction of a word in item # 5.

2. **FORENSIC PSYCHOLOGISTS** – Dr. Mays provided a presentation to the Board regarding Forensic Psychology. What is a forensic psychologist? One that gathers and evaluates information. The psychologist's client is the court or agency requesting the evaluation. Forensic psychology needs evidence not just an interview with the patient. The forensic psychologist does not treat the patient and keeps a separate relationship, forensic vs. therapeutic. The client, the Board, needs to clearly state what questions they want a forensic psychologist to answer. The Board needs to specifically state their concern, "We are concerned about violence" vs. "Please evaluate the individual". Forensic psychologists use trends and statistics (historical) when they evaluate. Forensic psychologists also consider the condition of the individual (who the person is) along with the actual act committed.

Dr. Mays indicates that there is no license for a forensic psychologist so review of resumes and references are important when choosing one.

The Board asked if the evaluation would provide a recommendation for the type of action to take. Dr. Mays indicated it would depend on the specific questions the Board asks. The Board would need to be clear in what they expect to receive from the forensic psychologist.

3. **SANCTIONS DISCUSSION** – Karen Ann Jensen, DOH Supervising Staff Attorney discussed a new model of sanction guidelines with the Board.

Ms. Jensen indicated that she has been working on a department project in which they have been reviewing the complete disciplinary process. The current department disciplinary guidelines give too much discretion to the disciplining authority. Ms Jensen is currently visiting as many Boards and Commissions as she can to share the model with them. The model consists of 6 categories, then 3 tiers, some common categories would be; drug diversion, sexual misconduct, etc. then tiers of different severity levels of misconduct in those categories. The workgroup is currently trying to determine appropriate/reasonable sanction ranges. We have to consider that all professions are different and we cannot create a system that is exactly the same for each disciplining authority. The ultimate goal is to create consistency across the professions by providing a tool for the disciplining authorities to use. Ms. Jensen will follow up with the Board when more progress is ready to report. There could be workshops to customize the tool for each individual Board or Commission and training sessions on how to use the tool.

4. **COURT OF APPEALS DECISION** – Karen Ann Jensen, DOH Supervising Staff Attorney discussed the implications of a Court of Appeals decision made on August 8, 2005.

Ms. Jensen gave a brief overview of the original case that led to this latest ruling by the Washington State Court of Appeals. The Court has ruled that full authority Boards and Commission must authorize investigations, they cannot delegate that authority.

5. **ELECTION OF OFFICERS** – The Board nominated and elected Charles Martin, PT as Chair and Paula D. Mays, PT as Vice-Chair.
6. **CORRESPONDENCE** – The Board acknowledged the letter received from Dr. Burghardt regarding The Washington State's Podiatric Medical Association's participation in drafting the new rules for sharp debridement. Dr. Burghardt indicated no formal response was necessary.
7. **CREDENTIALING AGENCIES REVIEW** – Paula Mays, PT, Vice Chair provided the Board with an overview of the credentialing agency evaluations she reviewed from the Foreign Credentialing Commission on Physical Therapy, Inc. (FCCPT), International Education Research Foundation, Inc. (IERF), International Consultants of Delaware, Inc. (ICD), and International Credentialing Associates (ICA). Four of the seven evaluating companies provided an evaluation for review. All the reports differ in many ways. One major difference is the format of the evaluation. The Board's review form also differs from all of the evaluations, this makes the evaluation hard to follow. FCCPT and IERF have easy to follow formats. ICA specifically indicates the evaluation is advisor only. FCCPT references where to locate (in packet) specific courses, etc. Ms. Mays found inconsistency in all four companies in what information they were evaluating. There were four different results from the evaluation. The Board needs objective data for a basis to deny someone's license. The Board would like to wait to make a decision of which company or companies they will accept until the next meeting.
8. **BOARD ACTIONS REPORTING FORM** – The Board approved the department to report disciplinary actions to the Physical Therapy Association of Washington (PTWA) using the same form previously approved for reporting actions to the Federation of State Boards of Physical Therapy (FSBPT).
9. **SET MEETING DATES** – The Board scheduled the following meeting dates for the 2006 calendar year.  
January 24, 2006 in Tumwater  
March 21, 2006 in SeaTac  
May 16, 2006 in Tumwater  
July 18, 2006 in Vancouver  
September 19, 2006 in Spokane  
November 14, 2006 in Tumwater

**10. PROGRAM REPORT** – Information provided to the Board by the Program Manager.

- Legislative Update – Melissa Johnson from PTWA indicated that the association will not be introducing any new legislation this upcoming session. Susan Sawyer, Public Member indicated she felt it was time to work on licensure of physical therapy assistants. Ms. Johnson indicated that the association may be looking at that issue next session.
- Budget Update – The May 2005 interim operating report was provided. The June 2005 report is considered the 25<sup>th</sup> month due to end of the biennium. That report is not available at this time.
- Organizational changes – No changes at this time.
- Other –  
Patricia Muchmore, PT attended the Chair and Vice-Chair conference held at the Department of Health on Monday, September 12, 2005. Susan Sawyer was scheduled to attend but was unable to make it. Both the Chair and Vice-Chair were unable to attend due to being out of town for the FSBPT Conference. Ms. Muchmore indicated it was one of the best conferences she has ever attended by the Department of Health. The Governor, Christine Gregoire, provided an overview of the importance of Boards and Commissions.

Paula D. Mays, PT and Charles Martin, PT attended the Federation of State Boards of Physical Therapy (FSBPT) annual conference on September 9 – 12, 2005. Ms. Mays indicated there was emphasis on the importance of Boards meeting on a regular basis. One state cancelled several meetings and the state determined that since they were not meeting, there was not enough business to constitute an independent Board and combined them and several others together. There were other discussions regarding the need for emergency rules or procedures to help displaced physical therapists from the hurricane hit region. Mr. Martin would like to time to gather his notes from the conference and provide a report at the next meeting. The next FSBPT conference is scheduled to be held in Portland, Oregon. Mr. Martin feels it important for all Board members to attend the conference since it will be in our region.

- Planning for Upcoming Meetings  
Further report on Evaluation companies.  
FSBPT report from Charles Martin, PT  
Rule Writing

**11. RULE DEVELOPMENT** – The CR101 form was filed with the code reviser's office on September 14, 2005. Drafting rule language for Sharp Debridement and Electroneuromyographic Examinations can take place. Kathleen Allen, PT provided comments regarding sharp debridement. Dr. Burghardt and Ms.

McGaffick provided comments regarding sharp debridement. Mr. Ziontz indicated the Washington State Podiatric Medical Association's (WSPMA) goal is to help make standards not to impose standards. WSPMA is committed to the rule writing process and wants to actively participate. Ms. Johnson with the Physical Therapy of Washington Association (PTWA) indicated they are currently gathering information from PT schools on the type of sharp debridement training being received in the schools. There is a difference of wound debridement vs. sharp debridement. Wound or blunt debridement is the use of gauze to wipe across a wound. Selective or Sharp debridement is the use of scissors, scalpel, tweezers, and other similar instruments. There was discussion on the importance of clinical training vs. classroom training.

Elaine Armantroot, PT and Dyke Dickie, PT provided comments and information regarding electroneuromyographic examinations.

The Board would like some language to start with at the next meeting. Board members will bring information to the next meeting to begin rule drafting.

**CLOSED SESSION – 3:15 p.m.**

**12. REVIEW OF APPLICATIONS**

Applicant A – Deny pending completion of wound care.

Applicant B – Deny pending completion of pharmacology and wound care.

**13. DISCIPLINARY CASE REVIEWS**

No cases were presented

**14. CONTINUING EDUCATION AUDITS** – Board members reviewed CE audits for compliance.

**15. ADJOURNMENT - The meeting was adjourned at 5:00 p.m.**

Respectfully submitted:

Approved:

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Jennifer Bressi, Program Manager

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Charles Martin, PT, Chair